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COMMITTEE ON THE RIGHTS OF THE CHILD

# GENERAL GUIDELINES REGARDING THE FORM AND CONTENT OF INITIAL REPORTS TO BE SUBMITTED BY STATES PARTIES UNDER ARTICLE 44, PARAGRAPH 1 (a), OF THE CONVENTION

Adopted by the Committee at its 22nd meeting
(first session) on 15 October 1991

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# GENERAL GUIDELINES REGARDING THE FORM AND CONTENT OF INITIAL REPORTS TO BE SUBMITTED BY STATES PARTIES UNDER ARTICLE 44, PARAGRAPH 1 (a), OF THE CONVENTION*

## Introduction

1. Article 44, paragraph 1, of the Convention on the Rights of the Child provides that "States parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized therein and on the progress made in the enjoyment of those rights:

(a) Within two years of the entry into force of the Convention for the State party concerned,

(b) Thereafter every five years".

2. Article 44 of the Convention further provides, in paragraph 2, that reports submitted to the Committee on the Rights of the Child shall indicate factors and difficulties, if any, affecting the fulfilment of the obligations under the Convention and shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. The Committee believes that the process of preparing a report for submission to the Committee offers an important occasion for conducting a comprehensive review of the various measures undertaken to harmonize national law and policy with the Convention and to monitor progress made in the enjoyment of the rights set forth in the Convention. Additionally, the process should be one that encourages and facilitates popular participation and public scrutiny of government policies.

4. The Committee considers that the reporting process entails an ongoing reaffirmation by States parties of their commitment to respect and ensure observance of the rights set forth in the Convention and serves as the essential vehicle for the establishment of a meaningful dialogue between the States parties and the Committee.

5. The general part of States parties' reports, relating to matters that are of interest to monitoring bodies under various international human rights instruments, should be prepared in accordance with the "Consolidated guidelines for the initial part of the reports of States parties", as contained in document HRI/1991/1. The present guidelines, which were adopted by the Committee on the Rights of the Child at its 22nd meeting (first session), held on 15 October 1991, should be followed in the preparation of the initial reports of States parties relating to the implementation of the Convention on the Rights of the Child.

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* Adopted by the Committee at its 22nd meeting (first session), on 15 October 1991.

6. The Committee intends to formulate guidelines for the preparation of periodic reports that are to be submitted pursuant to article 44, paragraph 1 (b), of the Convention in due course.

7. Reports should be accompanied by copies of the principal legislative and other texts as well as detailed statistical information and indicators referred to therein, which will be made available to members of the Committee. It should be noted, however, that for reasons of economy they will not be translated or reproduced for general distribution. It is desirable, therefore, that when a text is not actually quoted in or annexed to the report itself, the report should contain sufficient information to be understood without reference to those texts.

8. The provisions of the Convention have been grouped under different sections, equal importance being attached to all the rights recognized by the Convention.

General measures of implementation

9. Under this section, States parties are requested to provide relevant information pursuant to article 4 of the Convention, including information on:

(a) The measures taken to harmonize national law and policy with the provisions of the Convention; and

(b) Existing or planned mechanisms at national or local level for coordinating policies relating to children and for monitoring the implementation of the Convention.

10. In addition, States parties are requested to describe the measures that have been taken or are foreseen, pursuant to article 42 of the Convention, to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

11. States parties are also requested to describe those measures undertaken or foreseen, pursuant to article 44, paragraph 6, of the Convention, to make their reports widely available to the public at large in their own countries.

Definition of the child

12. Under this section, States parties are requested to provide relevant information, pursuant to article 1 of the Convention, concerning the definition of a child under their laws and regulations. In particular, States parties are requested to provide information on the age of attainment of majority and on the legal minimum ages established for various purposes, including, inter alia, legal or medical counselling without parental consent, end of compulsory education, part-time employment, full-time employment, hazardous employment, sexual consent, marriage, voluntary enlistment into the armed forces, conscription into the armed forces, voluntarily giving testimony in court, criminal liability, deprivation of liberty, imprisonment and consumption of alcohol or other controlled substances.

General principles

13. Relevant information, including the principal legislative, judicial, administrative or other measures in force or foreseen, factors and difficulties encountered and progress achieved in implementing the provisions of the Convention, and implementation priorities and specific goals for the future should be provided in respect of:

(a) Non-discrimination (art. 2);

(b) Best interests of the child (art. 3);

(c) The right to life, survival and development (art. 6);

(d) Respect for the views of the child (art. 12).

14. In addition, States parties are encouraged to provide relevant information on the application of these principles in the implementation of articles listed elsewhere in these guidelines.

Civil rights and freedoms

15. Under this section States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention; and implementation priorities and specific goals for the future in respect of:

(a) Name and nationality (art. 7);

(b) Preservation of identity (art. 8);

(c) Freedom of expression (art. 13);

(d) Access to appropriate information (art. 17);

(e) Freedom of thought, conscience and religion (art. 14);

(f) Freedom of association and of peaceful assembly (art. 15);

(g) Protection of privacy (art. 16);

(h) The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a)).

Family environment and alternative care

16. Under this section, States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force, particularly how the principles of the "best interests of the child" and "respect for the views of the child" are reflected therein;

factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention; and implementation priorities and specific goals for the future in respect of:

(a) Parental guidance (art. 5);

(b) Parental responsibilities (art. 18, paras. 1-2);

(c) Separation from parents (art. 9);

(d) Family reunification (art. 10);

(e) Recovery of maintenance for the child (art. 27, para. 4);

(f) Children deprived of a family environment (art. 20);

(g) Adoption (art. 21);

(h) Illicit transfer and non-return (art. 11);

(i) Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39);

(j) Periodic review of placement (art. 25).

17. In addition, States parties are requested to provide information on the numbers of children per year within the reporting period in each of the following groups, disaggregated by age group, sex, ethnic or national background and rural or urban environment: homeless children, abused or neglected children taken into protective custody, children placed in foster care, children placed in institutional care, children placed through domestic adoption, children entering the country through intercountry adoption procedures and children leaving the country through intercountry adoption procedures.

18. States parties are encouraged to provide additional relevant statistical information and indicators relating to children covered in this section.

Basic health and welfare

19. Under this section States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; the institutional infrastructure for implementing policy in this area, particularly monitoring strategies and mechanisms; and factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention, in respect of:

(a) Survival and development (art. 6, para. 2);

(b) Disabled children (art. 23);

(c) Health and health services (art. 24);

(d) Social security and child care services and facilities (arts. 26 and 18, para. 3);

(e) Standard of living (art. 27, paras. 1-3).

20. In addition to information provided under paragraph 9 (b) of these guidelines, States parties are requested to specify the nature and extent of cooperation with local and national organizations of a governmental or non-governmental nature, such as institutions of social workers, concerning the implementation of this area of the Convention. States parties are encouraged to provide additional relevant statistical information and indicators relating to children covered in this section.

Education, leisure and cultural activities

21. Under this section States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; the institutional infrastructure for implementing policy in this area, particularly monitoring strategies and mechanisms; and factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention, in respect of:

(a) Education, including vocational training and guidance (art. 28);

(b) Aims of education (art. 29);

(c) Leisure, recreation and cultural activities (art. 31).

22. In addition to information provided under paragraph 9 (b) of these guidelines, States parties are requested to specify the nature and extent of cooperation with local and national organizations of a governmental or non-governmental nature, such as institutions of social workers, concerning the implementation of this area of the Convention. State parties are encouraged to provide additional relevant statistical information and indicators relating to children covered in this section.

Special protection measures

23. Under this section States parties are requested to provide relevant information, including the principal legislative, judicial, administrative or other measures in force; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Convention; and implementation priorities and specific goals for the future in respect of:

(a) Children in situations of emergency

(i) Refugee children (art. 22);

(ii) Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39);

(b) Children in conflict with the law

(i) The administration of juvenile justice (art. 40);

(ii) Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b), (c) and (d));

(iii) The sentencing of juveniles, in particular the prohibition of capital punishment and life imprisonment (art. 37 (a));

(iv) Physical and psychological recovery and social reintegration (art. 39);

(c) Children in situations of exploitation, including physical and psychological recovery and social reintegration (art. 39)

(i) Economic exploitation, including child labour (art. 32);

(ii) Drug abuse (art. 33);

(iii) Sexual exploitation and sexual abuse (art. 34);

(iv) Other forms of exploitation (art. 36);

(v) Sale, trafficking and abduction (art. 35);

(d) Children belonging to a minority or an indigenous group (art. 30)

24. Additionally, States parties are encouraged to provide specific statistical information and indicators relevant to the children covered by paragraph 23.

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